

CITY COUNCIL, CITY OF LODI
CITY HALL COUNCIL CHAMBERS
WEDNESDAY, SEPTEMBER 3, 1969

A regular meeting of the City Council of the City of Lodi was held beginning at 8:00 p.m. on Wednesday, September 3, 1969 in the City Hall Council Chambers.

ROLL CALL Present: Councilmen - BROWN, CULBERTSON, (8:03 p.m.)
HUNNELL, SCHAFFER and
KIRSTEN (Mayor)

Absent: Councilmen - None
Also present: City Manager Graves, Assistant City
Manager Peterson, City Attorney Mullen (8:05 p.m.) and
Planning Director Schroeder.

PLEDGE Mayor Kirsten led the Pledge of Allegiance to the flag.

MINUTES On motion of Councilman Brown, Schaffer second, the Minutes of August 20, 1969 were approved as written and mailed.

PUBLIC HEARINGS

APPEAL -
THOMAS J. DOYLE
DENIED

The hearing on the appeal of Thomas J. Doyle from the decision of the City Planning Commission in denying his request for a change of zoning from R-1, Single-Family Residential District to the C-1, Neighborhood Commercial District for a parcel at the southeast corner of West Lodi Avenue and South Ham Lane having been continued from the meeting of August 6, 1969, Mayor Kirsten called for continuation of the hearing. Planning Director Schroeder introduced the matter showing a drawing of the area proposed to be rezoned.

Attorney Stewart C. Adams, 121 West Pine Street, representing Mr. Doyle, spoke in favor of the proposed rezoning. Attorney Adams presented a drawing of the area proposed for rezoning as well as a drawing of the proposed development for the parcel which included a service station and a home for the active retired.

Minutes of
9/17/69

Also speaking in favor of the request were Mr. Ivan Albert, 3320 ^{Whitehorse} ~~Waterloo~~ Road, Modesto, representing the Shell Oil Company and Mr. Delmo Filippini, 833 South Ham Lane.

Five letters and two petitions bearing 62 signatures were also received in support of the rezoning.

The following persons spoke, objecting to the proposed rezoning:

Minutes of
9/17/69 *LL*

Mr. Richard Payson, 1175 North Ham Lane, representing the Emanuel ^{American} Lutheran Church; Mr. Cecil Harp, 401 West Oak Street; and Oliver Lee, 220 South Ham Lane.

There being no others in the audience who wished to speak on the matter, the public portion of the hearing was closed.

Minutes of September 3, 1969 continued

After considerable discussion by the Council, Councilman Hunnell expressed that he felt commercial zoning should be terminated at the theater which is the present boundary for commercial zoning on the southside of Lodi Avenue. Councilman Schaffer suggested a major street such as Ham Lane would be a more appropriate place to terminate the commercial zoning.

Councilman Culbertson stated that if Mr. Doyle's request were granted to avoid spot zoning it would be necessary to rezone to commercial zoning all parcels from Sunset to Ham Lane. He felt this would be a hardship on the area south of Sunset Drive, and recommended denial of the request.

After further discussion, Councilman Hunnell moved the appeal be denied. The motion was seconded by Councilman Culbertson and carried by the following vote:

Ayes: Councilmen - Culbertson, Hunnell and Kirsten

Noes: Councilmen - Brown and Schaffer

RECESS

At approximately 10:40 the Mayor declared a three-minute recess.

REZONING CERTAIN PARCELS TO NEW INDUSTRIAL CLASSIFICATIONS

ORD. NO. 907 INTRODUCED

Notice thereof having been published in accordance with law, Mayor Kirsten called for the public hearing on the proposal of the City Planning Commission to rezone certain parcels of land north of Lodi Avenue and west of Stockton Street from the M, Industrial District to the C-M, Commercial-Light Industrial District; the M-1, Light Industrial District; and the M-2, Heavy Industrial District. Planning Director Schroeder introduced the matter and pointed out the area on the map. There being no one in the audience who wished to be heard on the matter, the public portion of the hearing was closed. Councilman Schaffer moved introduction of Ordinance No. 907 rezoning certain parcels of land north of Lodi Avenue and west of Stockton Street to be in the C-M, Commercial-Light Industrial District; the M-1, Light Industrial District and the M-2, Heavy Industrial District. The motion was seconded by Councilman Hunnell and carried by unanimous vote.

PLANNING COMMISSION

The City Manager gave the following report of the Planning Commission meetings of August 11, 1969 and August 25, 1969

REZONE INDUSTRIAL AREA #3

The Planning Commission recommended rezoning from the M, Industrial District to the M-1, Light Industrial District and the M-2, Heavy Industrial District (1) the area east of Stockton Street and West of Cherokee Lane between Lockeford Street and the Southern Pacific Railroad tracks; (2) the area bounded on the north by Lockeford Street; on the east by U.S. 50-99 Freeway; on the south by Victor Road; and on the west by Cherokee Lane; (3) the area bounded by Victor Road on the north; U.S. 50-99 Freeway on the east; Lodi Avenue on the south; and the rear property line of

Minutes of September 3, 1969 continued

property facing the east side of Cherokee Lane on the west; and (4) all industrially-zoned parcels east of the U.S. 50-99 Freeway. On motion of Councilman Brown, Schaffer second, the matter was set for public hearing on September 17, 1969.

REZONE POR INDUSTRIAL AREA #2

Minutes 9/17/69

AMEND ZONING ORDINANCE

The Planning Commission recommended the rezoning from the M, Industrial District to the M-2, Heavy Industrial District the industrially-zoned parcels bounded by Turner Road on the north; Stockton Street on the east; Locust Street on the south; and the main tracks of the Southern Pacific railroad on the west. The matter was set for public hearing on September 17, 1969 on motion of Councilman Schaffer. Brown second, adding the block bounded by Locust Street, Stockton Street, Elm Street and Main Street rather than Locust Street. Street, Elm Street and Main Street which was recommended for the M-1, Light Industrial District.

The Planning Commission also recommended the following amendments to the Zoning Ordinance: (1) to allow lumber yards and accessory planing operations as permitted uses in the M-1, Light Industrial District and (2) to allow planing mills as permitted uses in the M-2, Heavy Industrial District. On motion of Councilman Schaffer, Hunnell second, the matter was set for public hearing on September 17, 1969.

ALLEY ABANDONMENT

The Planning Commission recommended denial of the request of Mr. Edgar W. Beoshanz for the abandonment of an alley in the block bounded by Pine Street, Stockton Street, Oak Street and Main Street. Planning Director Schroeder explained that upon investigation, the Planning Commission found that the Fire Chief deemed the alley necessary for adequate fire protection in that area.

OF INTEREST

The Planning Commission also took the following actions of interest to the City Council:

1. Approved the request of Mr. and Mrs. Lawrence Pond for a use permit to allow a rest home for five people at 1330 West Walnut Street in an area zoned R-GA.
2. Modified the request of Pure Sausage and Meat Company by Mr. John Heier and approved a variance to reduce the required off-street parking from 19 to 13 stalls to permit the addition to a commercial building at 620 South Central Avenue in an area zoned C-1, Neighborhood Commercial.

3. Amended the Policy Statement on Movable Temporary Structures to read as follows:

"The exterior walls shall not exceed six (6) feet in height and the uppermost height of the roof shall not exceed six (6) feet, six (6) inches."

COMMUNICATIONS

ABC LICENSE

A notice of application for alcoholic beverage license was read for Ellen and Huedell Freeman, Pot O' Gold, 118 North Sacramento Street, on sale beer, person-to-person transfer.

Minutes of September 3, 1969 continued

GREYHOUND
LINES RATE
REQUEST

Notice of application of Greyhound Lines-West filed August 15, 1969 with the California Public Utilities Commission requesting approval of a proposal to increase passenger bus fares and package express charges by 8.75 per cent was read.

RAILWAY RATE
INCREASE REQUEST

Notice of application was read from the Atchison, Topeka and Santa Fe Railway Company, Northwestern Pacific Railroad Company, Southern Pacific Company and Union Pacific Railroad Company filed with the Public Utilities Commission for authority to subject California intrastate passenger fares to the same increase of five per cent as that which became effective on their interstate passenger fares on June 15, 1969.

CITY OF
COMMERCE
LEGISLATION

A resolution was received from the City of Commerce urging adoption by the United States Congress of the Controlled Dangerous Substance Act of 1969. On motion of Councilman Schaffer, Mayor Kirsten second, the matter was ordered tabled.

APPEAL - PURE
SAUSAGE AND
MEAT CO.

A letter was read from Attorney Robert J. Mertz on behalf of the Pure Sausage and Meat Company appealing the action taken by the City Planning Commission in modifying a request for a variance to reduce the required off-street parking from 19 stalls to 9 stalls at 620 South Central Avenue. The matter was set for public hearing on September 17, 1969 on motion of Councilman Culbertson, Schaffer second.

REPORTS OF THE CITY MANAGER

CLAIMS

Claims in the amount of \$762,304.53 were approved on motion of Councilman Culbertson, Schaffer second.

AWARD - SUBD.
PAVING - 1969

RES. NO. 3302

Only one bid was received for Subdivision Paving - 1969. The bid was from Claude C. Wood Company in the amount of \$14,889.00. The City Manager recommended the contract be awarded to the Claude C. Wood Company for the amount of the bid. On motion of Councilman Brown, Culbertson second, the City Council adopted Resolution No. 3302 awarding the above contract to the Claude C. Wood Company for the amount of the bid.

AWARD -
STREET
MATERIALS

Only one bid was received for street materials for the 1969-70 fiscal year. The bid was from Claude C. Wood Company as follows:

RES. NO. 3303

800 T Class 2 aggregate base	\$2.65/T
200 T Concrete Sand	\$2.70/T
500 T Asphalt concrete 3/8" SC-800	\$6.45/T
1200 T Asphalt concrete 1/2" 85-100	\$6.20/T
2500 T Asphalt concrete 3/8" 85-100	\$6.45/T

The City Manager recommended award of the bid. On motion of Councilman Culbertson, Hunnell second, the Council adopted Resolution No. 3303 awarding the contract for the street materials to Claude C. Wood Company in accordance with the bid.

Minutes of September 3, 1969 continued

STATE GRANT -
LODI LAKE
PARK

RES. NO. 3304

City Manager Graves reported that he had received correspondence from the State of California, Department of Parks and Recreation, requesting the City to authorize acceptance of a State grant for the expansion of the Lodi Lake Park, should funds be available. On motion of Councilman Brown, Hunnell second, the Council adopted Resolution No. 3304 accepting the State grant and authorizing the Mayor to execute the contract.

CAPELL MANOR
ST. LIGHTING

The City Manager presented the recommendation of the Superintendent of Utilities to change the City's standards for street lights in areas already developed without street lights. The proposal is designed to cut installation costs. Mr. Graves recommended the Council consider the proposal. After discussion, Councilman Schaffer moved the standards be approved as recommended by the Superintendent of Utilities in his memorandum to the City Manager of August 20, 1969. The motion was seconded by Councilman Culbertson and carried by unanimous vote.

SPECIFICATIONS -
WOOD POWER
POLES

On motion of Councilman Culbertson, Schaffer second, the City Council approved specifications for wood power poles for the Utilities Department and authorized advertising for bids thereon.

TOKAY-HUTCHINS
SCHOOL
CROSSING

City Manager Graves reported that he had contacted the school officials concerning the projected enrollment at Needham School and it appeared that the School District anticipated no significant change in the foreseeable future. Councilman Culbertson then moved that a pedestrian-activated traffic signal be installed at the school crossing at Tokay and Hutchins Street and, until such time as the signal is installed, a crossing guard be utilized during hours that school children are going to and from school. The motion was seconded by Councilman Schaffer and carried by unanimous vote.

J. C. BECKMAN
ADDN WITHDRAWN
FROM WOODBRIDGE
RURAL FIRE
DISTRICT

RES. NO. 3305

City Manager Graves stated that annexation of the J. C. Beckman Addition had been completed and it was in order for the Council to withdraw the Addition from the Woodbridge Fire District. On motion of Councilman Culbertson, Brown second, the City Council adopted Resolution No. 3305 withdrawing the J. C. Beckman Addition from the Woodbridge Rural County Fire Protection District.

ORDINANCES

ADOPTS UTILITY
& CAPITAL OUTLAY
BUDGETS - 1969-70

ORD. NO. 906
ADOPTED

ORDINANCE NO. 906, entitled, "ADOPTING A UTILITY AND CAPITAL OUTLAY BUDGET FOR THE CITY OF LODI FOR THE FISCAL YEAR BEGINNING JULY 1, 1969 AND ENDING JUNE 30, 1969," having been introduced at the meeting of August 20, 1969, was brought up for passage on motion of Councilman Brown, Hunnell second. Second reading was omitted after reading by title, and the ordinance was then passed, adopted and ordered to print by the following vote:

Minutes of September 3, 1969 continued

Ayes: Councilmen - Brown, Culbertson, Hunnell,
Schaffer and Kirsten

Noes: Councilmen - None

Absent: Councilmen - None

ADDENDA

NCPA APPLICATION

Councilman Culbertson reported that the application of the Northern California Power Agency had been approved by the Local Agency Formation Commission.

NCPA - WASHINGTON MEETING

Mayor Kirsten requested authority from the Council for the Mayor and the City Manager to attend a meeting in Washington, D. C. on September 22, 1969 concerning the Northern California Power Agency. On motion of Councilman Culbertson, Schaffer second, the Council authorized the Mayor and City Manager to attend the meeting as requested.

JAPAN WEEK

Mayor Kirsten proclaimed September 5-20, 1969 as "Japan Week" in the City of Lodi.

LABOR RELATIONS CONFERENCE

Councilman ~~Mayor~~ Culbertson suggested that the City staff be represented at the Public Labor Relations conference to be held in Hayward, September 19 and 20. The City Manager said the staff would be represented there.

ADJOURNMENT

There being no further business, the meeting was adjourned at approximately 10:50 p. m.

Attest: 
BESSIE L. BENNETT
City Clerk